

The General Assembly, we believe, should deal with natural resources subject by subject, rather than county by county. This certainly is the logical way to handle the problem. Natural resources do not recognize artificial county boundaries drawn by the hand of man, and I think it should be quite apparent that variations between counties could actually be harmful to the conservation of natural resources.

I would also point out to you that the public general law concept for natural resources is in keeping with the local government article, whose commentary on page 26 states that public general law, and here I quote, "might, in fact, deal with strip mining which at this time might exist in only one county. It could relate to conservation of the resources of the Chesapeake Bay or with the development of a river valley, even though all of the counties of Maryland could not border on the Bay or river valley."

Now, that is from the local government commentary. As indicated in these sentences, regulatory legislation pertaining to strip mining could really be passed by public general law even though strip mining might exist in only one county but, of course, if and when strip mining does appear in another county, then this same law would apply.

Now, I would also call your attention to the fact that we have many regulatory agencies in the area of natural resources, such as the Department of Chesapeake Bay Affairs, the Department of Water Resources, and the Department of Game and Inland Fisheries. Furthermore, under the proposed constitution, the General Assembly may empower some counties to enact their own laws on a specific subject, perhaps within certain guidelines constituted by the General Assembly.

Just to give you an example, the General Assembly could pass a law outlawing billboards along all county and state highways if it so desired, and it could then pass a law saying that Garrett County and Wicomico County could pass their own laws despite this general law in the area of billboards. This gives you an idea of the amount of leeway and flexibility that we already have without getting into the realm of local law.

Furthermore, if a natural resource matter is strictly of local significance, then I say that the local county council or county commissioners should control. At the present time Article 25(a), 65(m) of the An-

notated Code of Maryland, recognizes this by empowering charter counties to pass local fish and game laws. We already have this now for chartered counties. I repeat, so such laws, by having this exception, such local laws now could be shifted to the General Assembly. Certainly this is a retrogressive step, and it would allow one senator and in some cases one delegate to be the determining factor in a local law. We believe that the county legislative body should handle such local laws.

Now, in closing, I would propose one more thought to you, and this is that I would ask you to ponder well how broadly the term natural resources could be interpreted. Could it not be the opening of a wide door to a wide range of local law? After all, subdivisions in each county need water and sewers, and are water lines not coming under, or could they not come under the head of natural resources? So think about this well. There are a variety of ways, as I have stated, that natural resources can be handled without letting the General Assembly lapse back into the local law pattern; therefore I urge you on behalf of the lower, viable governmental units that we are seeking and the more viable General Assembly that we are also seeking, that you give this amendment your overwhelming support.

Thank you very much.

THE PRESIDENT: Delegate Moser.

DELEGATE MOSER: Mr. President and ladies and gentlemen, what I have to say about this will apply also to the subsequent amendment that is going to come in to remove the exception pertaining to public education from this provision. I want to make several things clear. The Local Government Committee has no position on either of these matters as such. In point of fact, these were added because this was the interpretation of the Style Committee when the Committee of the Whole adopted two provisions, public education and natural resources provision. Let us see exactly what we have now and what we are talking about.

I favor leaving these two items in section 3.23 as they are. I want to state that and make my position clear, but I do not think that it is a particularly urgent matter one way or the other.

At the present time, the General Assembly, as you know, can vary laws pertaining to resources, but what have they done? If you look at Article 66(c) where these ap-